

a provision authorizing him under like order of said district court, or the judge thereof, to sell and compound and compromise bad and doubtful stockholders assessments, and to sell stockholders assessments, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

FIFTY-SIXTH DAY

(Continued)

Senate Chamber,
Austin, Texas,
Monday, April 8, 1931.

The Senate met at 10 o'clock, a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar Witt.

Bill Introduced.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of general bills during the last 90 days of the session was suspended and consent was granted to introduce the following bills:

By Senator Loy, by request:

S. B. No. 587, A bill to be entitled "An Act amending Article 1582, Chapter 6, Revised Criminal Statutes, 1925, to provide for protection for workmen on buildings, and for temporary floorings in buildings more than three stories in height in the course of construction; and declaring an emergency."

Read and referred to the Committee on Labor.

By Senator Loy, by request:

S. B. No. 588, A bill to be entitled "An Act amending Article 5182, Chapter 9, Revised Civil Statutes, 1925, to provide for protection for workmen on buildings, and for temporary floorings in buildings more than three stories in height in the course of construction; and declaring an emergency."

Read and referred to the Committee on Labor.

By Senator Woodruff, by request:

S. B. No. 586, A bill to be entitled "An Act: (1) To amend Section 14 of Chapter of the Acts of the Forty-first Legislature of Texas, Regular Session, and clarifying the intent of said Section 14 as the same would relate to Section 132 of Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session. (2) Defining certain terms used in this Act. (3) Expressing the reasons for the enactment hereof and designating the Statutory Acts to be amended and clarified hereby. (4) To be Section 126 of said Chapter 25 and providing procedures whereby the districts may exercise the right of eminent domain. Also, providing for the organization of Tribunals of original jurisdiction (within the meaning and intent of Section 1 of Article II and Section 1 of Article V of the Constitution of Texas), prescribing the jurisdiction and powers thereof and the manner of procedure therein and thereby: Also, providing for appeals from such Tribunals to the District Court: Also prescribing the matters which may be considered on appeal and providing the procedure to be observed in the District Courts upon a hearing of such appeals. (5) Prescribing the qualifications for the members of said Tribunal, and the manner of their selection and appointment by a District Court. And also providing the manner in which the members of said Tribunal shall qualify and be organized. (6) Prescribing the manner in which proceedings for condemnation may be initiated in said Tribunal: Also, fixing compensation to be paid to the members of said Tribunal. (7) Prescribing the procedure of said Tribunal for proceeding to a final decree of condemnation and fixing the manner and form in which such decree shall be rendered. (8) Prescribing the form for the Notice, or citation, to be given concerning procedures before said Tribunal. (9) Providing for appearance of interested persons, either in person or by Attorney, for the presentation of their claims, together with evidence in argument and support thereof. (10) Providing that after such hearing said Tribunal shall proceed to enter their final decree of condemnation of property.

either within or beyond the boundaries of the District wherein they shall fix compensation for property to be condemned, award damages, and costs. (11) Providing that the final decree of condemnation concerning the property in each county shall be filed with the county clerk, and constituting said record notice of the contents of such decree. (12) Providing the exact manner in which an appeal may be prosecuted to the district court and specifying those matters concerning which an appeal may be prosecuted: Also, prescribing the exact manner in which the appeal may be effected and the manner in which the same shall be heard and determined by the district court. (13) Providing for the manner in which awards of compensation and damages shall be secured to be paid, and further providing that no property may be taken under condemnation until compensation shall have been paid, or secured to be paid by a deposit as in this Act is provided. (14) Providing that a district shall have the right to elect to proceed to condemnation under the provisions of Title 52 of the Revised Civil Statutes of Texas (1925), or under the provisions of this Act: Also, providing that counties, navigation districts, and levee districts of this State shall have the right to elect to proceed to condemnation under the provisions of this Act. (15) Stating the reasons constituting an emergency and declaring the same."

Read and referred to the Committee on Mining, Irrigation and Drainage.

Messages From The House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate Amendments to H. B. No. 8 by a vote of 120 yeas and no nays.

To Senate Amendments to H. B.

No. 981 by a vote of 126 yeas and no nays.

To Senate Amendments to H. B. No. 834 by a vote of 105 yeas and 4 nays.

S. B. No. 53, A bill to be entitled "An Act authorizing defendants in felony cases less than capital offenses, upon entering a plea of guilty and with the consent and approval of the court and the State's attorney, to waive the right of a trial by a jury and to be tried by the court, amending Articles 11, 12 and 658 of the Code of Criminal Procedure of the State of Texas so as to make them conform to such right, enacting an article to be known as Article 776a Code of Criminal procedure, so as to permit the court under certain conditions and in certain cases to suspend the sentence of the defendant, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 98, A bill to be entitled "An Act exempting from taxation property owned by a church or strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society, which yields no revenue whatever to such church or society, and declaring an emergency."

S. B. No. 148, A bill to be entitled "An Act to fix the jurisdiction of the juvenile court in Cameron county in the district court of Cameron county for the 103rd Judicial District of Texas, to divest such jurisdiction from the criminal district court of Cameron county, county court of Cameron County, at Law, and the county court of Cameron county, providing for the fixing of the compensation of the judge for the additional duties so provided for the district court of Cameron county for the 103rd Judicial District of Texas, and declaring an emergency."

The House has adopted the following resolution:

S. C. R. No. 29, accepting the invitation of the East Texas Chamber of Commerce to attend the East Texas Chamber of Commerce Convention in Marlin, April 20.

Respectfully submitted.

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bills and
resolutions:

H. B. No. 100, A bill to be entitled
"An Act to qualify certain consoli-
dated school districts to receive
bonuses and transportation aid un-
der the provisions of the Rural Aid
Law for the 1929-31 biennium; au-
thorizing and directing the State Su-
perintendent of Public Instruction to
pay such aid out of the current State
aid appropriation, and declaring an
emergency."

H. B. No. 415, A bill to be entitled
"An Act amending Article 6673,
Chapter One, of Title 116, of the
Revised Civil Statutes of Texas and
providing for the control of State
highways of Texas, and providing
that no change in the routing of
highways already designated within
towns and cities of more than two
hundred (200) population shall be
changed without the consent of the
commissioners court of the county
wherein said town or city is situ-
ated, and declaring an emergency."

H. C. R. No. 50, Instructing the
State Auditor to make an audit of
the Depositors Guaranty Fund.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion to Reconsider.

On motion of Senator Woodward
the vote by which S. B. No. 531 was
finally passed was reconsidered.

S. B. No. 531 was finally passed
by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardni.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Greer.

S. J. R. No. 2.

The question recurred on the pend-
ing amendment (by Senator Wood-
ruff) to S. J. R. No. 2.

The amendment was lost by the
following vote:

Yeas—3.

Martin.	Woodruff.
Small.	

Nays—24.

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodul.
Neal.	

Absent.

Cousins.	Patton.
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Absent—Excused.

Greer.

(Pair Recorded.)

Senator Poage present who would
vote yea, with Senator Woodward
absent who would vote nay.

Senator Woodruff sent up the fol-
lowing amendment to the amend-
ment:

Amend substitute to C. S. J. to S.
J. R. No. 2, Page 3, by adding after
the word "bonds," at the end of the
first part of said paragraph, the fol-
lowing:

"And no occupation tax, income
tax, franchise tax, gross production
tax, severance tax, or tax of any
other kind or character except taxes
upon the sale, occupation or excise,
on gasoline, or other substances used
for propelling motor vehicles, shall
ever be levied, assessed and collected,
and no appropriation ever shall be
made by the Legislature from any
general, special, or other fund, for
the purpose of paying the interest

and/or sinking fund, or any part thereof, of said bonds.

Read and lost by the following vote:

Yeas—15.

Berkeley.	Poage.
Cunningham.	Pollard.
DeBerry.	Purl.
Hardin.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Martin.	Woodruff.
Moore.	

Nays—15.

Beck.	Parrish.
Cousins.	Patton.
Gainer.	Stevenson.
Holbrook.	Thomason.
Loy.	Williamson.
Neal.	Woodul.
Oneal.	Woodward.
Farr.	

Absent—Excused.

Greer.

Senator DeBerry sent up the following amendments to the amendment:

Amend amendment to S. J. R. No. 2 by placing the following word and figure "Number 1." just above the first line of paragraph 2, section 4.
DEBERRY.

Read and adopted.

Amend amendment to S. J. R. No. 2 by placing the word and figure "Number 1," just above the first line of paragraph 3, section 4.
DEBERRY.

Read and adopted.

Amend amendment to S. J. R. No. 2 by placing the following word and figure "Number 2," just above the first line of paragraph 4 of section 4.
DEBERRY.

Read and adopted.

Amend amendment to S. J. R. No. 2 by placing the word and figure "Number 2," just above the first line of paragraph 5, of section 4.
DEBERRY.

Read and adopted.

Senator Hornsby sent up the following amendment to the amendment:

Amend Senate Joint Resolution No. 2 in Section 4 thereof, by striking out "the first Tuesday after the

first Monday in November, A. D. 1931," and insert in lieu thereof "at the general election in November, A. D. 1932."

HORNSBY.

Read and lost.

Amend Senate Joint Resolution No. 2 in Section 4 thereof, by striking out "the first Tuesday after the first Monday in November, A. D. 1931." and insert in lieu thereof "the 4th Saturday in July, A. D. 1932."

HORNSBY.

Read and lost by the following vote:

Yeas—9.

DeBerry.	Pollard.
Hopkins.	Rawlings.
Hornsby.	Small.
Martin.	Woodruff.
Poage.	

Nays—19.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Gainer.	Purl.
Hardin.	Russek.
Holbrook.	Stevenson.
Loy.	Thomason.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Greer.

(Pair Recorded.)

Senator Cunningham present who would vote yea with Senator Williamson absent who would vote nay.

Senator Hornsby sent up the following amendment:

Amend Senate Joint Resolution No. 2 in Section 4 thereof, by striking out "the first Tuesday after the first Monday in November, A. D. 1931," and insert in lieu thereof "the first Tuesday in April, A. D. 1932."
HORNSBY.

Read and lost by the following vote:

Yeas—10.

DeBerry.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Martin.	Small.
Poage.	Woodruff.

Nays—18.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Gainer.	Patton.
Hardni.	Russek.
Holbrook.	Stevenson.
Loy.	Thomason.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Greer.

(Pair Recorded.)

Senator Cunningham present who would vote yea with Senator Williamson absent who would vote nay.

Senator Rawlings sent up the following amendment to the amendment:

Amend the amendment to S. J. R. No. 2 by striking out the second paragraph under section 3 of page 3 of the multigraphed copy, and insert in lieu thereof the following:

"A reasonable tax may be levied on gasoline and other motor fuels for the construction and maintenance of a System of State Highways and reimbursing outlays and assuming and/or discharging obligations made by counties and Defined Road Districts therefor; provided, however, that no appropriation shall ever be made from the General Revenues and no other tax of any kind or character shall ever be levied for such purposes."

RAWLINGS.

The amendment to the amendment was read.

Senator Woodul raised the point of order that a previous amendment practically the same in effect as this one had previously been killed.

The Chair, Lieutenant Governor Edgar E. Witt, sustained the point of order.

Senator Poage sent up the following amendment to the amendment:

Amend the amendment to S. J. R. No. 2 in section 4 thereof by striking out the words "the first Tuesday after the first Monday in November 1931" and insert in lieu thereof the following:

"the first Saturday in February, 1932."

POAGE.

The amendment to the amendment was read.

Senator Purl sent up the following amendment to the amendment:

Amend the amendment by striking out "first Saturday in February" and insert "first Saturday in March."

PURL.

Read and adopted.

The amendment to the amendment was lost by the following vote:

Yeas—11.

Berkeley.	Poage.
Cunningham.	Pollard.
DeBerry.	Purl.
Hopkins.	Rawlings.
Hornsby.	Small.
Martin.	

Nays—16.

Beck.	Parrish.
Cousins.	Patton.
Gainer.	Russek.
Hardin.	Stevenson.
Holbrook.	Thomason.
Loy.	Williamson.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Oneal.

Absent—Excused.

Greer.

(Pair Recorded.)

Senator Woodruff (present) who would vote Yea, with Senator Parr (absent) who would vote Nay.

Senator Gainer moved the previous question on the further consideration of the resolution. The previous question failed to receive the proper seconding.

On motion of Senator Woodul, the previous question was ordered on the pending amendment and upon the final passage of the resolution.

Senator Small moved to recess until 2 o'clock p. m. The motion was lost.

The amendment was adopted by the following vote:

Yeas—25.

Beck.	Holbrook.
Berkeley.	Loy.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Oneal.
Gainer.	Parr.
Hardin.	Parrish.

Patton.	Thomason.
Poage.	Williamson.
Pollard.	Woodruff.
Purl.	Woodul.
Russek.	Woodward.
Stevenson.	

Nays—5.

Hopkins.	Rawlings.
Hornsby.	Small.
Martin.	

Absent—Excused.

Greer.

The resolution as amended was adopted by the following vote:

Yeas—22.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Russek.
Holbrook.	Stevenson.
Loy.	Thomason.
Moore.	Williamson.
Neal.	Woodul.
Oneal.	Woodward.

Nays—8.

Cunningham.	Poage.
Hopkins.	Rawlings.
Hornsby.	Small.
Martin.	Woodruff.

Absent—Excused.

Greer.

Reason for Vote.

I vote yea on S. J. R. No. 2 the State wide Bond Issue. For the reason.

I believe this to be a question of too great importance for the Senate of Texas to refuse to let the entire Citizenship of Texas settle this issue at the polls, as it proposes to adopt a State wide policy of financing highways. I believe it to be a Fundamental principal of Democracy to let the people rule.

LOY.

Bills Signed.

The Chair, Lieut. Gov. Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. 758, H. B. 834.

27 Jour.

Recess.

On motion of Senator Pollard, the Senate, at 12:58 o'clock p. m., recessed until 2:30 o'clock p. m.

After Recess.

The Senate met at 2:30 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem Carl Hardin.

House Bill No. 1002.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 1002, A bill to be entitled "An Act to amend Articles 1757 and 1846 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. 1002 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Holbrook.
Berkeley.	Hopkins.
Cousins.	Hornsby.
Cunningham.	Loy.
DeBerry.	Martin.
Gainer.	Moore.
Hardni.	Neal.

Oneal.	Russek.
Parr.	Small.
Parrish.	Stevenson.
Patton.	Thomason.
Poage.	Williamson.
Pollard.	Woodruff.
Purl.	Woodul.
Rawlings.	Woodward.

Absent—Excused.

Greer.

Message from the Governor.

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following message:

Executive Department,
Austin, Texas, April 8, 1931.
To the State Senate of Texas:
Subject to your confirmation I have appointed Honorable Chas. E. Thompson of Weslaco, Hidalgo County, Texas, as Judge of the 93rd Judicial District, to succeed Judge J. E. Leslie, resigned.

Very truly yours,

R. S. STERLING, Governor.

Read and referred to the Committee on Governor's Nominations.

Senate Bill No. 447.

Senator Parr called up from the table:

By Senator Parr:

S. B. No. 447, A bill to be entitled 'An Act authorizing the Game, Fish and Oyster Commission to construct a channel through Padre Island, Mustang Island and St. Jo Island, etc., and declaring an emergency.'

Senator Moore sent up the following amendment:

Amend S. B. No. 447, page 1, Sec. 1, Line 23, after the word "Construction" by inserting: "at an expenditure of not more than \$125,000.00 (one hundred and twenty-five thousand dollars)."

MOORE.

Read and adopted.

On motion of Senator Parr, the bill was laid on the table subject to call.

House Bill No. 660.

The Chair laid before the Senate by unanimous consent the following bill:

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Patton, the constitutional rule requiring bills to be read on three several days was suspended and H. B. 660 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Greer.

Senator Excused.

On motion of Senator Williamson, Senator Holbrook was excused for the day on account of illness.

Bills Signed.

The Chair, Lieut. Gov. Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

S. B. 53.	S. B. 148,
S. B. 98.	S. C. R. 29.

Executive Session Set.

Senator Pollard asked unanimous consent that the Senate go into executive session immediately preceding adjournment on the legislative day immediately following the present legislative day. Consent was granted.

Senate Bill No. 246.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Beck:

S. B. No. 246, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the fiscal years beginning September 1, 1931, and ending August 31, 1933, as follows, to-wit: Abilene State Hospital; Austin State School; Austin State Hospital; Confederate Home; Confederate Woman's Home; Dallas State Hospital; Deaf, Dumb, and Blind Institute for Colored Youths; Girls Training School; Home for Dependent and Neglected Children; State Hospital for Crippled and Deformed Children at Galveston; State Juvenile Training School; State Orphan Home; Rusk State Hospital; San Antonio State Hospital; Galveston State Psychopathic Hospital; Terrell State Hospital; State Tuberculosis Sanatorium; Wichita Falls State Hospital; Colored Orphans Home at Gilmer; Alabama and Coushatti Indians in Polk County, Texas; and declaring an emergency."

The committee substitute was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. 246 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Loy.
Berkeley.	Martin.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Oneal.
Gainer.	Parr.
Hardin.	Parrish.
Hopkins.	Patton.
Hornsby.	Poage.

Pollard.	Thomason.
Purl.	Williamson.
Rawlings.	Woodruff.
Russek.	Woodul.
Small.	Woodward.
Stevenson.	

Absent—Excused.

Greer.	Holbrook.
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Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Pollard.
DeBerry.	Purl.
Gainer.	Rawlings.
Hardni.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Absent—Excused.

Greer.	Holbrook.
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Senate Bill No. 567.

Senator Moore called up from the table.

By Senators Moore, Hardin, Woodul, Beck, Pollard, Thomason, Stevenson, Neal, Russek, Purl, Greer, Woodward, Woodruff, Parr, Oneal, Williamson, Hornsby, Poage, Martin, Patton, Gainer, Berkeley:

S. B. No. 567, A bill to be entitled "An Act defining primary and secondary highways; designating highways so defined, directing the State Highway Commission to complete construction of said designated highways in their order; limiting the designation of primary and secondary highways; and declaring an emergency."

The question recurred on the pending amendment by Senator Moore.

Senator Moore withdrew the pending amendment nad sent up the following amendment:

Amend S. B. No. 567 by adding at the end of Section 4 the following:

"Provided, that towns and villages not touched or traversed directly by the main lines of highways author-

ized hereunder shall be connected thereto by a direct spur of the same class and material as the main line, provided that such towns and villages or town or village is within a distance of two (2) miles of the main line of the highway, and provided further that the spur of spurs herein authorized shall be designated as a part of the system of highway and shall be constructed and maintained as such; and provided further that if such towns and villages or town or village are or is touched by a highway not a main line, but which interests a main highway, such spur as now constructed shall be designated and maintained as a part of the State Highway System."

MOORE.

The amendment was read.

Senator Poage sent up the following amendment to the amendment:

Amend pending amendment to S. B. No. 567, in the first line after the words "provided that towns or villages" by inserting thereto the following words:

"of 200 population and more according to the last United State census."

POAGE.

Read and adopted.

The amendment as amended was adopted by the following vote:

Yeas—13.

Beck.	Patton.
Berkeley.	Rawlings.
Cunningham.	Stevenson.
Hornsby.	Thomason.
Moore.	Williamson.
Oneal.	Woodul.
Parrish.	

Nays—8.

DeBerry.	Pollard.
Hopkins.	Purl.
Loy.	Small.
Parr.	Woodruff.

Present—Not Voting.

Gainer.	Woodward.
Neal.	

Absent.

Cousins.	Poage.
Hardin.	Russek.
Martin.	

Absent—Excused.

Greer.

Holbrook.

Senator Parrish withdrew his amendment, printed on page 757 of the Senate Journal for March 30.

Senator Rawlings moved to lay the bill on the table subject to call.

Senator Moore moved to table the motion. The motion to table prevailed.

Senator Woodruff sent up the following amendment:

Amend S. B. No. 567 by adding at the end of sub-section C of section 2 the following:

"Provided, that no highway shall be redesignated so as to miss towns of 200 population, according to the 1930 Federal census, where such highway has been designated to pass through such towns, without the consent of the Commissioners' Court through its order duly and lawfully entered upon the minutes of the proceedings of such court."

WOODRUFF.

The amendment was read.

Senator Moore moved to table the amendment. The motion prevailed by the following vote:

Yeas—12.

Beck.	Pollard.
Cousins.	Purl.
Hornsby.	Stevenson.
Moore.	Thomason.
Oneal.	Williamson.
Parrish.	Woodul.

Nays—12.

Berkeley.	Parr.
DeBerry.	Patton.
Hopkins.	Poage.
Loy.	Rawlings.
Martin.	Small.
Neal.	Woodruff.

Absent.

Cunningham.	Russek.
Gainer.	Woodward.
Hardin.	

Absent—Excused.

Greer.

Holbrook.

The Chair voted "yea."

The bill passed to engrossment by the following vote:

Yeas—15.

Berkeley.	Poage.
Cousins.	Pollard.
Hornsby.	Purl.
Moore.	Stevenson.
Neal.	Thomason.
Oneal.	Williamson.
Parrish.	Woodul.
Patton.	

Nays—9.

Cunningham.	Parr.
DeBerry.	Rawlings.
Hopkins.	Small.
Loy.	Woodruff.
Martin.	

Absent.

Beck.	Russek.
Gainer.	Woodward.
Hardin.	

Absent—Excused.

Greer.	Holbrook.
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On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 567 was put on its third reading and final passage, by the following vote:

Yeas—22.

Beck.	Patton.
Berkeley.	Poage.
Cousins.	Pollard.
Cunningham.	Purl.
DeBerry.	Rawlings.
Hornsby.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodul.
Parrish.	Woodward.

Nays—4.

Hopkins.	Martin.
Loy.	Small.

Absent.

Gainer.	Russek.
Hardni.	

Absent—Excused.

Greer.	Holbrook.
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Read third time and finally passed.

Yeas—16.

Beck.	Cousins.
Berkeley.	Hornsby.

Moore.	Purl.
Neal.	Stevenson.
Oneal.	Thomason.
Parrish.	Williamson.
Poage.	Woodul.
Pollard.	Woodward.

Nays—9.

Cunningham.	Parr.
DeBerry.	Rawlings.
Hopkins.	Small.
Loy.	Woodruff.
Martin.	

Absent.

Gainer.	Patton.
Hardin.	Russek.

Absent—Excused.

Greer.	Holbrook.
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S. J. R. No. 13.

Senator DeBerry called up the following resolution:

By Senator DeBerry, et al:

S. J. R. No. 13. Proposing to amend the Constitution of the State of Texas so as to provide that no State-wide ad valorem tax on property shall be levied or assessed for any purpose after January 1, 1933; but thereafter such ad valorem taxes on property may be levied only for local purposes by counties, cities or towns or school districts or road districts or other sub-divisions of the State, on such property at its fair cash market value.

Senator DeBerry sent up the following amendment:

Amend S. J. R. No. 13 by striking out all below the caption, and inserting in lieu thereof the following: Be It Resolved by the Legislature of the State of Texas:

Section 1. That Section 9 of Article 8 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Section 9. For the year 1932 the state tax on property for general revenue purposes shall not exceed thirty-five (35) cents on the one hundred dollars valuation, and for state school purposes shall not exceed thirty-five (35) cents on the hundred dollars valuation, and for Confederate pension purposes shall not exceed seven (7) cents on the hundred dollars valuation, and these respective constitutional limits shall be reduced each year after 1932 by one-

seventh (1-7) of the amount thereof as herein stated, so that no state-wide ad valorem tax on property shall be levied or assessed for any purpose after January 1, 1939; but thereafter such ad valorem taxes on property may be levied and assessed only for local purposes by counties, cities or towns or school districts, or road districts, or other sub-divisions of the state in proportion to its fair cash market value; provided that such state-wide ad valorem taxes on property levied and assessed prior to January 1, 1939, which remain unpaid, together with lawful interest and penalties accruing thereon, shall continue to be secured by liens now provided by the Constitution, and shall be collectible in the manner now or hereafter provided by law; and provided further that in all cases where by Act of the Legislature, state taxes to be collected during a period have been by the Legislature appropriated, released, granted or donated to any county or city or town or other municipality or defined subdivision of the State for the purpose of paying bonds for aiding in the construction of breakwaters or sea walls or grade raising or the prevention of calamitous overflows, or in cases of public calamity or otherwise the State shall appropriate and pay to such county or city or town or other municipality or defined subdivision annually for each year of the period of such release or grant or donation a sufficient amount to pay off and retire all bonds issued for such purpose or purposes prior to January 1, 1931, by such county, city or town or other municipality or defined sub-division of the State; and such payments shall be made by the State for each year prior to 1939 covering the proportion of each such annual payment which the reduction of the aggregate constitutional limit of all state-wide ad valorem taxes on property for each such year, below the aggregate constitutional limit for the year 1932, bears to such aggregate constitutional limit for the year 1932.

No county, city or town shall levy more than twenty-five cents (25) on the one hundred dollars for city or county purposes, and not exceeding fifteen cents for roads and bridges, and not exceeding fifteen cents to pay jurors; and for the erection of public buildings, streets, sewers,

water works and other permanent improvements, not to exceed twenty-five cents on the one hundred dollars valuation in any one year, and except as is in this Constitution, otherwise provided; and the Legislature may also authorize an additional annual ad valorem tax to be levied and collected for the further maintenance of the public roads; provided, that a majority of the qualified property taxpaying voters of the county voting at an election to be held for that purpose shall vote such tax, not to exceed fifteen cents on the one hundred dollars valuation of the property subject to taxation in such county. And the Legislature may pass local laws for the maintenance of the public roads and highways, without the local notice required for special or local laws.

Sec. 2. That Section 3 of Article 7 of the Constitution of the State be amended so as to hereafter read as follows:

Sec. 3. One fourth of the revenue derived from the State occupation taxes and a poll tax of one dollar on every inhabitant of the State between the ages of 21 and 60 years shall be set apart annually for the benefit of the public free schools; and, in addition thereto, there shall be levied and collected annually such additional state taxes, other than ad valorem taxes on property, as with the available school fund arising from all other sources, including the State ad valorem tax for school purposes permitted by the Constitution to be levied for each year prior to 1939, will be sufficient to maintain and support the public schools of this State for a period of not less than six months of each year, and to provide an available school fund for distribution to the various counties amounting to not less than \$17.50 per scholar; and to provide free text books for the use of children attending the free public schools of this State; and it shall be the duty of the State Board of education to set aside a sufficient amount out of the said tax to so provide free text books; provided, however, that should the limit of taxation herein named be insufficient, the deficit may be met by appropriation from the general funds of the State and the Legislature may also provide for the formation of school

districts by general laws; and all such school districts may embrace parts of two or more counties, and the Legislature shall be authorized to pass laws for the assessment and collection of taxes in all said districts and for the management and control of the public school or schools of such districts, whether such districts are composed of territory wholly within a county or in parts of two or more counties. And the Legislature may authorize an additional ad valorem tax to be levied and collected within all school districts heretofore formed, or hereafter formed, for the further maintenance of public free schools, and for the erection and equipment of school buildings therein; provided that a majority of the qualified property taxpaying voters of the district voting at an election to be held for that purpose, shall vote such tax not to exceed in any one year one (\$1.00) dollar on the one hundred dollars valuation of the property subject to taxation in such district, but the limitation upon the amount of school district tax herein authorized shall not apply to incorporated cities or towns constituting separate and independent school districts, nor to independent or common school districts created by general or special law.

Sec. 3. That Section 51 of Article 3 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

Sec. 51. The Legislature shall have no power to make any grant or authorize the making of any grant of public moneys to any individual, association of individuals, municipal or other corporations whatsoever; provided, however, the Legislature may grant aid to Confederate soldiers and sailors and to their widows under such regulations and limitations as it may deem expedient, and soldiers, who, under special laws of the State of Texas, during the war between the States, served in organizations for the protection of the frontier against Indian raids or Mexican marauders, and to soldiers of the militia who were in active service during the war between the states, and to the widows of such soldiers who are, or may be eligible to receive aid under such regula-

tions and limitations as the Legislature may deem expedient; and also to grant aid for the establishment and maintenance of a home for said soldiers and sailors, their wives and widows and women who aided in the Confederacy, under such regulations and limitations as may be provided for by law; and the Legislature may provide for husband and wife to remain together in the home. The Legislature shall provide for the levy and collection annually of State taxes other than ad valorem taxes on property, sufficient in amount and to be specially set apart as a special fund, never to exceed a maximum amount of Three Million (\$3,000,000) Dollars, for the payment of the pensions authorized by law under the provisions of this section, and in the event of a deficit in such fund the amount necessary to pay such pension lawfully due may be advanced out of the general funds of the State; and the Legislature shall provide for such pension taxes, other than ad valorem taxes prior to January 15th, 1939, sufficient in amount to make good the reduction in the Constitutional limit of the State ad valorem tax for pension purposes for each such year, provided, that the Legislature may reduce such taxes so levied, and provided, further that the provisions of this section shall not be construed so as to prevent the grant of aid in cases of public calamity.

Sec. 4. The foregoing constitutional amendments shall be submitted to the electors of this State qualified to vote on constitutional amendments at a special election to be held throughout the State on the first Tuesday in August, A. D. 1931, at which special election there shall be printed on each ballot the following clauses:

"For the amendment of the Constitution of the State of Texas providing that no state-wide ad valorem tax on property shall be levied or assessed for any purpose after January 1, 1939; but thereafter such ad valorem taxes on property may be levied only for local purposes by counties, cities or towns or school districts or road districts or other subdivision of the State"; and

"Against the amendment of the Constitution of the State of Texas

providing that no state-wide ad valorem tax on property shall be levied or assessed for any purpose after January 1, 1939; but thereafter such ad valorem taxes on property may be levied only for local purposes by counties, cities or towns or school districts or road districts or other sub-divisions of the State."

Each voter shall mark out with pen or pencil the clause which he desires to vote against, or the word "FOR" or the word "AGAINST" at the beginning of such clause, so as to indicate his vote for or against each of said proposed amendments.

Sec. 5. The Governor is hereby directed to issue the necessary proclamation for said election and to have the same published as required by the Constitution and laws of this State and said election shall be held under the Constitution and laws of this State.

Sec. 6. In the event that the constitutional amendments proposed herein shall fail to receive a majority of the votes at the special election to be held on the first Tuesday in August, A. D. 1931, then and in that event said amendments shall be re-submitted to the electors of this State qualified to vote on the constitutional amendments at the general election to be held throughout the State on the first Tuesday after the first Monday in November, A. D. 1932, at which election there shall be printed on each ballot the clauses appertaining to said amendment which this resolution provides shall be printed on the ballot for the special election and in that event, the Governor is directed to issue the necessary proclamation for resubmitting said amendments and to have the same published as required by the Constitution and the laws of the State of Texas.

Sec. 7. The sum of Ten Thousand (\$10,000,000) Dollars or so much thereof as shall be necessary is hereby appropriated out of the State Treasury to pay the expense of the publications and elections provided for in this resolution.

Amend Caption so as to read as follows:

Proposing to amend the Constitution of the State of Texas so as to provide that no state-wide ad valorem tax on property shall be

levied or assessed for any purpose after January 1, 1939, but thereafter such ad valorem taxes on property may be levied only for local purposes by counties, cities or towns or school districts or other sub-divisions of the State, on such property at its fair cash market value.

DeBERRY.

Senator Small moved to print the amendment in the Journal and to lay the resolution and the amendment on the table subject to call.

Senator DeBerry moved to table the motion. The motion to table prevailed by the following vote:

Yeas—22.

Beck.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Hornsby.	Stevenson.
Loy.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	Woodward.

Nays—5.

Berkeley.	Poage.
Hopkins.	Small.
Martin.	

Absent.

Cousins.	Russek.
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Absent—Excused.

Greer.	Holbrook.
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The amendment was adopted by the following vote:

Yeas—25.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Nays—2.

Hopkins.	Small.
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Absent.

Cousins. Russek.

Absent—Excused.

Greer. Holbrook.

Senator Martin sent up the following amendment:

Amend S. J. R. No. 13, Section 4, line 27, by striking out of said line the word "August" and substitute therefor the word "November."

MARTIN.

The amendment was read.

Senator Parrish sent up the following substitute for the amendment:

Amend the substitute resolution by striking out in Section 4, the words "at a special election to be held throughout the State on the first Tuesday in August A. D. 1931, at which special election," and by inserting in lieu thereof the following "At the general election to be held throughout the State on the first Tuesday after the first Monday in November A. D. 1932, at which election."

And by striking out Section 6 and numbering Section 7 as Section 6.

PARRISH,
DeBERRY.

Read and adopted.

Senator Martin withdrew his amendment.

Senator Parrish offered his substitute as an original amendment. The amendment was adopted by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardni.	Rawlings.
Hopkins.	Russek.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Nays—1.

Small.

Absent—Excused.

Greer. Holbrook.

The resolution was finally passed by the following vote:

Yeas—22.

Beck.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Hardin.	Purl.
Hornsby.	Rawlings.
Loy.	Stevenson.
Martin.	Thomason.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	Woodward.

Nays—6.

Berkeley.	Moore.
Cousins.	Small.
Hopkins.	Williamson.

Absent.

Russek.

Absent—Excused.

Greer. Holbrook.

Reason for Vote.

I vote yea with the understanding that the proponents of this resolution both in the House and Senate agree to allow an amendment to the resolution changing the period of reduction of the tax to ten instead of seven years.

POAGE.

Senate Bill No. 123.

The Chair laid before the Senate on its second reading the following bill:

By Senator Martin:

S. B. No. 123, A bill to be entitled "An Act providing that a prosecution for the unlawful sale or delivery of intoxicating liquor may be had either in the county wherein the sale or delivery is made, or in any county through or into which the intoxicating liquor is carried; providing that in all cases the indictment or any proceeding in the case may allege that the offense was committed in the county where the prosecution is carried on; and providing for the manner of proving venue; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Martin, the constitutional rule requiring bills to be read on three several days was

suspended and S. B. 123 was put on its third reading and final passage by the following vote:

Yeas—22.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Hopkins.	Rawlings.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.

Nays—2.

Parr. Purl.

Absent.

Hardin.	Stevenson.
Russek.	Thomason.
Small.	

Absent—Excused.

Greer. Holbrook.

Read third time and finally passed by the following vote:

Yeas—14.

Beck.	Oneal.
Cousins.	Parrish.
DeBerry.	Patton.
Hornsby.	Poage.
Martin.	Pollard.
Moore.	Rawlings.
Neal.	Woodruff.

Nays—9.

Berkeley.	Parr.
Cunningham.	Purl.
Gainer.	Williamson.
Hopkins.	Woodul.
Loy.	

Absent.

Hardin.	Stevenson.
Russek.	Thomason.
Small.	Woodward.

Absent—Excused.

Greer. Holbrook.

House Bills Referred.

H. B. No. 415 referred to Committee on State Highways and Motor Traffic.

H. B. No. 100 referred to Committee on Educational Affairs.

Bills Signed.

The Chair, Lieut. Gov. Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. 660.

H. B. 1002.

Reason for Vote.

I voted against this measure, because if enacted into law, it will add to the cost of Law Enforcement and not increase the efficiency of or the surety of punishment. It will encourage the fraud in witness fees. We have plenty of Laws on our books. What we need is officers who will enforce the laws we now have.

PURL.

Senate Bill No. 464.

Senator Pollard called up from the table the following vote:

By Senator Pollard:

S. B. No. 464, A bill to be entitled "An Act to amend Section 1, Chapter 250, Senate Bill No. 520, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

The question recurred upon the pending amendment. The amendment was adopted by a two-thirds vote.

The bill was finally passed.

Executive Session.

By unanimous consent, the Senate voted to go into executive session at 5:35 o'clock p. m.

At 5:35 o'clock p. m., the Chair announced that the hour for the joint session had arrived. The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointments for the following named positions have had same under consideration

and recommend that said appointees be in all things confirmed.

Said positions and appointees being as follows, to-wit:

Pilot Commissioners for Sabine Pass, River and Tributaries.

P. P. Butler, of Beaumont.

J. S. Edwards, of Beaumont.

Stuart Martin, of Port Arthur.

Dr. A. R. Autry, of Port Arthur.

Arch Campbell, of Orange.

To be District Judge of 93rd Judicial, Chas. E. Thompson to succeed J. E. Leslie, resigned.

POLLARD, Chairman.

Adjournment.

On motion of Senator Beck, the Senate, at 5:45 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, April 8, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled bills, have had S. B. No. 53 carefully examined and compared and find same correctly enrolled.

HOPKINS, Vice-Chairman.

Committee Room.

Austin, Texas, April 8, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 29, carefully examined and compared and find same correctly enrolled.

HOPKINS, Vice-Chairman.

Committee Room,

Austin, Texas, April 8, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bill, have had S. B. No. 148, carefully examined and compared and find same correctly enrolled.

HOPKINS, Vice-Chairman.

Committee Room,

Austin, Texas, April 8, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 98,

carefully examined and compared and find same correctly enrolled.

HOPKINS, Vice-Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, April 4, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 309 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 533 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 170 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 469 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 41 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room.

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 35 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 563 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 6, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 518 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 433 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 195 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 37 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 67 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 541

carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 6, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 63 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 6, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 359 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 61 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 65 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 6, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 68 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 6, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 69 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 6, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 95 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 6, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 64 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 4, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 94 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 4, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 59 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 102 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 531 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 466 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 478 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 375 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 434 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 382 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 363 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 498 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 532 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 125 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 28, Proposing an amendment to the Constitution of Texas, by adding to Article 16 another Section, Section 60, so as to authorize a Texas Centennial, commemorating the heroic period of early Texas history, and to celebrate a century of our independence and progress, times, places and manner thereof to be provided by the Legislature; authorizing an appropriation to be made therefor; providing for an election upon such proposed amendment, and making an appropriation therefor.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 1, A Joint Resolution Proposing an amendment to the Constitution of the State of Texas by amending Section 33 and Section 40 of Article 16, of the Constitution of Texas so as to permit officers of the National Guard, the National

Buard Reserves, and the Officers Reserve Corps of the United States, and Enlisted Men of the National Guard, the National Guard Reserve, and the Organized Reserves of the United States, and Retired Officers of the United States Army, Navy and Marine Corps, and Retired Enlisted Men of the United States Army, Navy and Marine Corps, to hold public office in Texas.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 12, Proposing to amend the Constitution of the State of Texas so as to provide that the Legislature shall have no power to release or extinguish, or to authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State or to any county or defined subdivision thereof, or other municipal corporation therein, except delinquent taxes which has been due for a period of at least ten years.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 847, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and reward all applications for repurchase of Public School land situated in Brewster County and Loving County, Texas, subject to forfeiture and reappraisement on date of passage of Chapter 94, an Act approved October 27, 1926, for which applications or the first payment therefor were filed in the Land Office after

the expiration of the time allowed by law for the filing thereof but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon; providing for things necessary and incidental; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed, because of advance printing in House bill form.

PARRISH, Chairman.

Committee Room,

Austin, Texas, April 8, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 488, A bill to be entitled "An Act protecting hospitals, clinics and other institutions where persons are treated for compensation for diseases, illnesses, injuries and disabilities, from fraud and non-payment of bills, for medical services, medicine doctor's bills and hospital bills generally; providing for liens on insurance of such persons and their employers on their behalf; prohibiting the giving of worthless checks; prescribing offenses, fines and penalties and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODUL, Vice-Chairman.

Committee Room,

Austin, Texas, April 8, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 486, A bill to be entitled "An Act creating a Board of Special Commissioners to make certain investigations, report certain findings to the Legislature, prescribing certain duties of the State Auditor, making appropriations to defray expenses of such Board; and declaring an emergency."

Have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 8, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred

H. B. No. 474, A bill to be entitled "An Act to validate and confirm the title to settlers claims or preemption surveys and other public lands sold upon condition of occupancy to the pre-emptors or their assignees in all cases where proof of three years occupancy from the date of filing of the application cannot be made but use and occupancy for a period of twenty-five years prior to the passage of this Act can be shown; provided that nothing in this Act shall relieve the purchaser of public lands from the obligation to pay the contract purchase price for same before securing patent therefor, and to require the issuance of patents to declare an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the following committee amendments be passed in lieu thereof, and that same be printed.

PARRISH, Chairman.

Amendment No. 1.

Amend H. B. No. 474 by striking out all above the enacting clause and substituting in lieu thereof the following:

By Adkins.

H. B. No. 474.

A BILL

To Be Entitled

An Act to validate and confirm the title to lands in cases where settlers' claims made under the Act of August 26th, 1856, opening for settlement the MEP&P Reservation, were filed in the Land Office August 31st, 1858, and where other proof and surveys have been made; providing generally the means and manner thereof, and for the payment of fees; and declaring an emergency.

Amendment No. 2.

Amend H. B. No. 474 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. That in all cases where settlers' claims made under the Act of August 26, 1856, opening for settlement the MEP&P Reservation, were filed in the Land Office August 31, 1858, including the affidavit of settlement and field notes and the survey has been passed correct upon the map of the county in which situated, but proof of three years' occupancy has not been made, provided that use and occupancy can be shown for a period of twenty-five years prior to the passage of this Act; such settlers' claims are hereby validated, and the Commissioner of the General Land Office is authorized and required to issue patent to the same in the name of the original grantee on the payment of the fees provided by law, such patent to insure to the benefit of the lawful owners of the land.

"Section 2. That there is hereby validated the title of C. F. Reneau, his heirs and assigns, to 93-4/10ths acres of land by virtue of Certificate No. 16, issued by J. M. Simpson, Chief Justice of Upshur County on the 22nd day of June, 1857, and surveyed by the County Surveyor on June 9th, 1858, and patent shall issue upon compliance with the provisions hereof.

"Section 3. If any section, or part thereof, be held invalid, it is hereby declared to be the legislative intent that the remaining part of this Act will have been passed without such invalid section or part thereof.

"Section 4. Owing to the fact that there are many preemption surveys and settlers' claims on which the originals neglected to take out patents or failed to make proof of occupancy within the time required by law, and that heirs of pre-emptors who lost their lives in the Confederate Army have not been in position to make such proof, and that the lands so involved have been held in good faith by the original pre-emptors or their assignees for a great many years, and that as the proof of occupancy required by law cannot be made at this time, their ti-

ties are in jeopardy, creates an imperative public necessity requiring the Constitutional Rule which provides that all bills be read on three several days should be suspended and is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

FIFTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas,
April 9, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
ONeal.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Bills and Resolutions.

(See Appendix.)

By an affirmative vote of four-fifths of the membership of the Senate, the Constitutional Rule relating to the introduction of General Bills during the last 90 days of the session was suspended and consent was granted to introduce the following Bill:

By Senator Parr:

S. B. No. 589, A bill to be entitled "An Act providing that the Legisla-